

Message

From: Lindstrom, Andrew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=04BF7CF26AA44CE29763FBC1C1B2338E-LINDSTROM, ANDREW]
Sent: 2/2/2016 2:58:51 PM
To: Buckley, Timothy [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=197a3461d9824a17850f34cc2b0b37fe-Buckley, Timothy]
Subject: RE: PFOA

Tim,

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Thank you,

Andy

From: Buckley, Timothy
Sent: Tuesday, February 02, 2016 9:56 AM
To: Lindstrom, Andrew <Lindstrom.Andrew@epa.gov>
Cc: Biales, Adam <Biales.Adam@epa.gov>; Grimm, Ann <Grimm.Ann@epa.gov>; Kenneke, John <Kenneke.John@epa.gov>; Oshima, Kevin <Oshima.Kevin@epa.gov>
Subject: RE: PFOA

Let us know what you need.

Tim

From: Lindstrom, Andrew
Sent: Tuesday, February 02, 2016 9:52 AM
To: Buckley, Timothy <Buckley.Timothy@epa.gov>
Cc: Biales, Adam <Biales.Adam@epa.gov>; Grimm, Ann <Grimm.Ann@epa.gov>; Kenneke, John <Kenneke.John@epa.gov>; Oshima, Kevin <Oshima.Kevin@epa.gov>
Subject: RE: PFOA

Tim,

Yes, the PFAS are getting a lot of attention lately.

With a little bit of support, I would be able to be a lot more productive.

In 2009, after a few years of funding, our group put out 7 pretty good PFAS-related papers.

Ex. 5 Deliberative Process (DP)

I'd appreciate anything you can do to help us make the best use of this valuable information.

Thank you,

Andy

From: Buckley, Timothy
Sent: Tuesday, February 02, 2016 9:29 AM
To: Lindstrom, Andrew <Lindstrom.Andrew@epa.gov>
Cc: Biales, Adam <Biales.Adam@epa.gov>; Grimm, Ann <Grimm.Ann@epa.gov>; Kenneke, John <Kenneke.John@epa.gov>; Oshima, Kevin <Oshima.Kevin@epa.gov>
Subject: FW: PFOA

Andy,

Looks like there will be a lot of interest in your PFC work. Are you planning on publishing anything this year related to your PFC work?

Tim

Timothy J. Buckley, PhD
Director of the Exposure Methods & Measurements Division
National Exposure Research Laboratory
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Research Triangle Park, NC 27711

Email: buckley.timothy@epa.gov
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Phone: (919) 541-2454 (O); FAX: -0239

Ex. 6 Personal Privacy (PP)

From: Orme-Zavaleta, Jennifer
Sent: Tuesday, February 02, 2016 7:45 AM
To: Brunson, Gerald <Brunson.Gerald@epa.gov>; Buckley, Timothy <Buckley.Timothy@epa.gov>; Garland, Jay <Garland.Jay@epa.gov>; Watkins, Tim <Watkins.Tim@epa.gov>; Guiseppi-Elie, Annette <Guiseppi-Elie.Annette@epa.gov>
Cc: Gillespie, Andrew <Gillespie.Andrew@epa.gov>; Kenneke, John <Kenneke.John@epa.gov>; Kryak, DavidD <Kryak.DavidD@epa.gov>
Subject: PFOA

NCEA has been more engaged in this re risk assessment. See below from Inside EPA. Do we have any further insights from John W or Andy L's work?

New York Officials Press EPA To Set National Water Standard For PFOA

February 01, 2016

High-level New York state officials are urging EPA Administrator Gina McCarthy to address the threat of the persistent chemical perfluorooctanoic acid (PFOA) in drinking water across the country by expeditiously developing an enforceable drinking water standard, marking what appears to be the first time a state has sought national EPA action to address any of the class of chemicals known as perfluorochemicals (PFCs).

The pressure, which stems from concerns over contaminated drinking water in a New York town, comes as New York Gov. Andrew Cuomo (D) Jan. 27 announced a set of sweeping actions to address the contaminant in the Village of Hoosick Falls, saying he will add the site to the state's Superfund list and issue an emergency regulation to classify PFOA as a hazardous substance.

At the same time, EPA released a statement Jan. 28 saying while it develops a lifetime health advisory level for PFOA, it is ratcheting down the level of PFOA in drinking water at the site that it says is safe.

PFCs are a class of extremely persistent, toxic chemicals that have been widely used for various commercial and industrial applications due to their non-stick, water resistant qualities. The chemicals are emerging contaminants but currently not federally regulated, although EPA is in the midst of finalizing risk estimates for chronic drinking water exposures to PFOA and a related PFC -- values that will eventually allow regulators to craft long-term health advisory levels and cleanup requirements at sites with the contaminants.

Currently, EPA has a non-enforceable provisional health advisory of 0.04 parts per billion (ppb), or 400 parts per trillion (ppt), for PFOA to protect against short-term exposures, but that will be replaced by a long-term drinking water health advisory once EPA finalizes it, an EPA fact sheet says. The health advisories act as guidance and are benchmarks used to determine if levels of a chemical in public drinking water sources are safe for consumption, EPA says.

The pressure from the state officials stems from PFOA drinking water and groundwater contamination discovered in Hoosick Falls, located in Rensselaer County, but the state says the matter is not just local, telling McCarthy in a Jan. 14 letter that the "presence of PFOA in drinking water is an emerging nation-wide issue."

In their Jan. 14 letter to McCarthy, New York Department of Environmental Conservation (DEC) Acting Commissioner Basil Seggos and Department of Health (DOH) Commissioner Howard Zucker ask her to "take vigorous action to address the presence of [PFOA] in drinking water and groundwater."

They request the agency lower the 0.04 ppb provisional health advisory for PFOA in order to account for "the most current scientific evidence," and that EPA "act expeditiously to adopt a protective maximum contaminant level (MCL)," or enforceable drinking water standard, for the chemical. The agency is currently not developing an MCL for PFOA.

'Hazardous Substance'

The state officials also press EPA to act quickly to list PFOA as a "hazardous substance" under the Superfund law in order to facilitate cleanup of contaminated groundwater as well as other media, and to consider the remaining uses of the chemical under the Toxic Substances Control Act and curb its use if less toxic options are available, the letter says. The letter points to ongoing efforts being made by the state to address public and private water systems in the Village of Hoosick Falls and Town of Hoosick that have exceedances of the provisional health advisory level.

But EPA in the Jan. 28 statement says it is recommending that residents in the two towns who have private wells with levels of PFOA tested at greater than 100 ppt not consume their water, and instead obtain free bottled water available nearby. An EPA spokesman says the 100 ppt level is derived from a toxicity value it developed that was peer-reviewed in 2014. She stresses though that the level has not been finalized as a lifetime health advisory.

EPA Region 2 and the state in recent months have been working on the locality's PFOA issue, with Region 2 Administrator Judith Enck addressing residents in the area Jan. 14, and reciting recommendations she made in November that residents not consume the drinking water and that a water treatment system be put in place.

Her prepared remarks to the residents say the agency is giving the contamination issue there a "high priority." In addition, she says that EPA "has begun the process of investigating the potential sources of the pollution and what laws we will use to ensure it is cleaned up," noting that this could be applying the Superfund program, the Safe Drinking Water Act (SDWA) or other federal environmental laws.

But Seggos and Zucker elevate the issue beyond the local level problem, noting PFOA's emergence as a national drinking water contaminant.

They reference a Jan. 10 *New York Times* article that highlighted several studies indicating the potential pervasiveness of PFOA in drinking water and groundwater that may subject people across the country to the chemical.

"It is imperative that the federal government step forward and use the authority it already holds under federal law to comprehensively address this national issue," the state officials say, noting the state will assist the agency in measures to protect the public health and environment from PFOA.

A DEC spokesman said at press time that the department had not received a response from EPA on its letters to the agency. Letters were sent to both EPA headquarters and the Region 2 office. During the Jan. 14 public meeting in Hoosick Falls, EPA officials "indicated they are moving forward," the spokesman says.

EPA headquarters spokespersons did not respond by press time to questions related to the letter to McCarthy.

PFOA's Prevalence

EPA over the past several years has acknowledged the chemical's prevalence in the environment. And findings in 2011 and 2012 from an independent scientific panel formed as the result of a settlement between PFOA manufacturer DuPont and citizens in a class action suit concluded direct links between human exposure to PFOA and several adverse health effects, including testicular cancer, kidney cancer, ulcerative colitis, thyroid disease, pregnancy-induced hypertension and medically diagnosed high cholesterol. The suit involved claims against DuPont at its Washington Works plant in Parkersburg, WV, plant, which manufactured PFOA.

But the state's pursuit of national attention to the contaminant appears to be the first in which high-level state officials have pressured EPA to take nationwide regulatory action on a PFC, sources say.

A source with the Environmental Working Group, which has long tracked the chemical, says in an email response that the Hoosick Falls situation is "reminiscent of Parkersburg more than a decade ago, when it took a dogged crusade by the lawyer for residents whose water had been poisoned to get the EPA to launch a 'priority' review of PFOA."

"It's now been almost 15 years since EPA learned of the problem, and there's still no enforceable health standard for PFOA or any other PFC in Americans' drinking water," the

source says. The source argues that recent research shows EPA's provisional health advisory is "hundreds of times too weak to protect public health."

The source says EPA is continuing to "drag its feet" on developing a final advisory level, or an enforceable drinking water limit.

Another environmental source notes that PFCs, which have been used in fire-fighting foams, among other uses, are frequently arising as an issue at military bases where fire-fighting foam was used. "It's the new perchlorate, or worse," the source says, referring to a chemical used in rocket fuel and munitions that arose as a contaminant at military sites. For instance, EPA last year issued a first-time SDWA administrative order for the Air Force to clean up PFC contamination at the former Pease Air Force Base, NH.

Superfund Listing

Seggos is also pressuring EPA to further investigate the Hoosick Falls contamination and nominate it for inclusion on Superfund's National Priorities List (NPL). A Jan. 14 letter from Seggos to Enck proposes listing the Saint-Gobain Performance Plastics Corporation's plant on McCaffrey Street, Hoosick Falls to the NPL, "where high levels of PFOA in groundwater have been observed." While Saint-Gobain has agreed to pay to filter out PFOA from drinking systems, it is unclear who is responsible for the contamination, the Village of Hoosick Falls says on its website.

In the village, four out of five water samples taken from various locations within the public drinking water system found levels of PFOA at 600 ppt, exceeding the 400 ppt interim health advisory level, according to EPA in a fact sheet. At the Saint-Gobain McCaffrey Street facility, groundwater sampling found levels as high as 18,000 ppt, it says.

Enck told Hoosick Falls Mayor David Borge in late November in a letter that the agency lacks a funding stream to which the locality could apply to address the drinking water problem. Nonetheless, the agency continues to press its recommendations for substituting bottled water until temporary, and then permanent, treatment systems are in place. The temporary system is expected to be operational by the end of February, and the permanent system by October, according to the village's website. An EPA Region 2 spokesman says the recommendations EPA made are for an agreement being negotiated between the village and Saint-Gobain.

The Region 2 spokesman says the agency is gathering and reviewing existing site data, and will conduct an assessment that includes the sampling of groundwater and soil -- including local ballfields -- to determine what other actions are needed. The agency will evaluate the site for listing on the NPL, he says.

Cuomo's Actions

Meanwhile, Cuomo announced Jan. 28 he is taking a series of immediate actions to address the contamination there. Among these are issuing an emergency regulation to classify PFOA as a hazardous substance, giving the state the legal authority to seek state Superfund designation and cleanup using state funds, according to a press release from the governor's office. In addition, the state will classify the Saint-Gobain plant as a state Superfund site, to free up state funding sources for investigation and cleanup. This action will allow access to state funds "much more quickly than waiting for a federal Superfund designation," the release says.

Furthermore, the state DOH will undertake a risk analysis to examine the latest national research in order to develop a drinking water guidance level for PFOA, the release says. DOH will also look at cancer incidences among village residents. And it will offer a PFOA biomonitoring study to area residents to measure PFOA in blood to determine exposure, the state says. -- *Suzanne Yohannan* (syohannan@iwpnews.com)

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Ex. 6 Personal Privacy (PP)

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